

07/2017 JW



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**STATE OF DELAWARE**  
**COUNCIL ON REAL ESTATE APPRAISERS**

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PUBLIC MEETING MINUTES:	<b>COUNCIL ON REAL ESTATE APPRAISERS</b>
MEETING DATE AND TIME:	<b>Tuesday, July 18, 2017 at 9:30 a.m.</b>
PLACE:	<b>Division of Professional Regulation 861 Silver Lake Blvd., Conference Room A Cannon Bldg., Dover, Delaware 19904</b>
MINUTES FOR APPROVAL:	<b>September 19, 2017</b>

**MEMBERS PRESENT**

Douglas Nickel, Professional Member, Chair  
Georgianna Trietley, Professional Member  
Lynn Baker, Professional Member  
Christopher Schneider, Professional Member  
Denise Stokes, Public Member  
Patricia Ennis, Public Member (arrived at 9:38 a.m.)  
Kevin Gillis, Banking Member (arrived at 9:39 a.m.)

**MEMBERS ABSENT**

Earl Timmons, Professional Member, Vice-Chair  
Mark Rainford, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Jennifer Witte, Administrative Specialist II  
Kevin Maloney, Deputy Attorney General

**OTHERS PRESENT**

There were no others present.

**CALL TO ORDER**

Mr. Nickel called the meeting to order at 9:30 a.m.

**REVIEW OF MINUTES**

A motion was made by Ms. Trietley, seconded by Mr. Baker, to approve the minutes from the June 20, 2017 meeting as presented. The motion was unanimously carried.

## **UNFINISHED BUSINESS**

### **Conduct Deliberations from Public Hearing Regarding Proposed Amendments to Council's Rules and Regulations**

Mr. Maloney stated there have been no public comments received resulting from the June 20, 2017 public hearing regarding the proposed amendments to the Council's Rules and Regulations regarding continuing education, temporary permits and crimes substantially related to the practice of real estate appraising. There was public presence for today's meeting. A motion was made by Ms. Stokes, seconded by Ms. Trietley, to approve the proposed amendments to the Council's rules and regulations. The motion was unanimously carried. The Council signed the final order.

### **Re-Review Certified General Real Property Appraiser Applications**

After review of additional documentation submitted per Council's request, a motion was made by Mr. Baker, seconded by Mr. Gillis, to approve the certified general real property appraiser application of Nicole Carr. The motion was unanimously carried.

## **NEW BUSINESS**

### **Ratify Temporary Practice Permit Applications**

A motion was made by Mr. Nickel, seconded by Mr. Baker, to approve the ratification of temporary practice permits for Christopher Stickney, James Black, Michael Jarrell and David Hopkins. The motion was unanimously carried.

### **Ratify Certified General Real Property Appraiser Applications**

A motion was made by Ms. Trietley, seconded by Ms. Stokes, to approve the ratified certified general real property appraiser applications of Scott Killheffer and Gary Anglemeyer. The motion was unanimously carried.

### **Review and Consider Recommendations of the Chief Hearing Officer**

#### **Bruno Petrillo, Jr., #X2-0000387**

After review, a motion was made by Mr. Baker, seconded by Ms. Stokes, to accept the recommendation of the Chief Hearing Officer with an amendment of an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

#### **Carlo Batts, #X1-0000522**

After review, a motion was made by Ms. Trietley, seconded by Mr. Schneider, to accept the recommendation of the Chief Hearing Officer with an amendment of 90 days to complete 2 hours of continuing education and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Colleen Knowles, #X1-0000585

After review, a motion was made by Mr. Nickel, seconded by Ms. Trietley, to accept the recommendation of the Chief Hearing Officer with an amendment to #4 of an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Jack Nescio, #X2-0000302

After review, a motion was made by Ms. Ennis, seconded by Mr. Nickel, to accept the recommendation of the Chief Hearing Officer with an amendment of an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Ratify Real Estate Appraiser Trainee Applications

A motion was made by Mr. Schneider, seconded by Ms. Trietley, to approve the ratified real estate appraiser trainee application of Patrick Scully. The motion was unanimously carried.

Ratify Appraisal Management Company Registration Applications

A motion was made by Ms. Trietley, seconded by Mr. Baker, to approve the ratified appraisal management company registration applications of Service 1st, LLC. and AssetVal Appraisal, Inc. The motion was unanimously carried.

Ratify Certified Residential Real Property Appraiser Applications

A motion was made by Mr. Nickel, seconded by Ms. Trietley, to approve the ratified certified residential real property appraiser application of David Diaco. The motion was unanimously carried.

Review of Continuing Education Activities

After review, a motion was made by Mr. Baker, seconded by Ms. Trietley, to approve the continuing education activities as follows:

International Association of Assessing Officers – VA Chapter

Mass Appraisal Practices and Procedures, Course 331, 33.5 hours CE (classroom)

ASFMRA

AgWare Back to Basics, 7 hours CE (classroom)

The motion was unanimously carried.

**CORRESPONDENCE**

Mr. Maloney received correspondence from a representative of BB&T looking for clarification of Del. C. 24, §4019 (a) of the Council's Statute which states "This chapter shall not apply to any Delaware licensed real estate salesperson or broker, who prepares a competitive market analysis survey used only for the purpose of listing a property for sale or lease, nor to any individual, who prepares real estate appraisals for the licensee's full-time employer for the employer's internal use only, and which is performed in the regular course of employee's position". After a brief discussion, the Council interpreted the term licensee's as used in the

following "...any individual, who prepares real estate appraisals for the licensee's full-time employer..." as meaning "individual" and possibly being an inappropriate term for this provision of the chapter. Council furthermore interpreted the paragraph as meaning services provided are for the employers internal use only and cannot be distributed outside the business or to third parties.

#### **OTHER BUSINESS BEFORE THE COUNCIL**

At the June meeting there was a brief discussion with regards to 25% of the licensees being audited and clear language that referring to the origination of this percentage. Ms. Witte reached out to Ms. Brooks with the Appraisal Subcommittee and was advised that the ASC does not prescribe a percentage of credential to be audited. She was provided with the Policy Statement that included the requirements for State continuing education audits. It is possible that the misunderstanding of the percentage to be audited may have happened after the 2013 compliance review or as a result of a high failure rate of audited licensees resulting in remedial action of an increase in the percentage audited.

After a brief discussion, the Council stated that the 25% of licenses audited will continue and possibly revisited at a later date.

#### **PUBLIC COMMENT**

There was no public comment.

#### **NEXT MEETING**

The next meeting will be September 19, 2017 at 9:30 a.m. in Conference Room A.

#### **ADJOURNMENT**

There being no further business, a motion was made by Mr. Nickel, seconded by Ms. Ennis, to adjourn the meeting at 10:34 a.m. The motion unanimously carried.

Respectfully submitted,

*Jennifer L. Witte*

Administrative Specialist II